

U.S. Department of Justice



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

May 17, 2007

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By Fax

The Honorable Sidney H. Stein
United States District Court
500 Pearl Street, Room 1010
New York, New York 10007

MEMO ENDORSED

Re: United States v. Gilberto Morales & Kevin Wade Nelson,
S6 06 Cr. 518 (SHS)

Dear Judge Stein:

This letter is respectfully submitted, on consent of both defense counsel, to request a 30-day adjournment of the conference scheduled for this afternoon in the above-captioned case. I received a call earlier today from the office of Devereaux Cannick, Esq., Mr. Nelson's counsel, advising me that Mr. Cannick is ill and cannot make it this afternoon. Moreover, I provided discovery to Mr. Cannick last Friday – the day after Mr. Nelson arrived in the district and was arraigned before a magistrate – and I understand that he needs additional time to review it. (Among other things, the discovery includes several wiretaps.) Finally, I have been engaged in discussions with Mr. Morales's counsel regarding a possible disposition of the matter without trial, and those discussions are continuing. For each of these reasons, I believe an adjournment would be appropriate.

In addition, if the request for an adjournment is granted, I would respectfully request that time be excluded for purposes of the Speedy Trial Act from ~~today until the new date~~. I make the request, with the consent of both defense counsel, in order to allow counsel to review discovery and to permit the parties to continue discussions of possible dispositions without trial.

*Conf. adjourned from 5/17 until 6/14 at 3:30 p.m. Time excluded pursuant to
18 U.S.C. 3161(h)(7)(A). The ends of justice will be served by deferring the date of the public
trial in a speedy trial.*

Respectfully submitted,
MICHAEL J. GARCIA
United States Attorney

By:

Jesse M. Furman
Jesse M. Furman
Assistant U.S. Attorney
(212) 637-2475

cc (without attachment): Devereaux L. Cannick, Esq. (by facsimile: 718-803-9764)
Sabrina Schroff, Esq. (by facsimile: 212-625-3939)

*5/17/07
for delayed
by [initials]
SJS*